

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DARIUS MCCALL,

Plaintiff,

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, et al.,

Defendants.

Case No. 2:18-cv-01319-APG-EJY

ORDER

Before the Court is Lakiesha McCall's Motion to Substitute Administrator as the Plaintiff.¹ ECF No. 88. Lakiesha McCall represents she is the Administrator of the Estate of Plaintiff Darius McCall. *Id.* at 2; *see also* ECF No. 88-1 (Eighth Judicial District Court Order appointing Lakiesha McCall as Administrator of Darius McCall's Estate).

Fed. R. Civ. P. 25(a)(1) provides that a motion for substitution of parties must be brought within ninety days after service of a statement noting a party's death. On July 22, 2020, Plaintiff's counsel filed a Suggestion of Death on the record, advising the Court that Darius McCall passed away on July 13, 2020. ECF No. 82. On October 7, 2020, less than ninety days after the Suggestion of Death was submitted, Lakiesha McCall timely filed her Motion to Substitute. ECF No. 88.

Accordingly,

IT IS HEREBY ORDERED that Lakiesha McCall's Motion to Substitute Administrator as the Plaintiff (ECF No. 88) is GRANTED.

DATED THIS 16th day of October, 2020.


ELAYNA J. YOUCHAK
UNITED STATES MAGISTRATE JUDGE

¹ The Court made typographical changes to the title of Lakiesha McCall's Motion for the sake of clarity.